

For: State and County Offices

Status of the Farm Storage Facility Loan (FSFL) Regulations

Approved by: Deputy Administrator, Farm Programs



1 Overview

A Background

In May 2000 the FSFL program was re-established under the authority of the Commodity Credit Corporation (CCC) Charter Act at 15 U.S.C. 714, et seq. The Food, Conservation, and Energy Act of 2008, (2008 Act), Section 1614, contained changes to the FSFL program.

Before the 2008 Act statutory language can take effect for FSFL, the changes must be incorporated into the current FSFL regulations found at 7 CFR 1436 and published in the Federal Register (FR).

The FSFL regulations with the changes made to the program by the 2008 Act have been drafted and are in the Agency and Departmental clearance process. Any changes to the FSFL program mandated by the 2008 Act will **not** be effective until the regulations have been published in FR.

B Purpose

This notice informs State and County Offices that:

- as part of the Agency clearance process, it was recently determined that a programmatic Environmental Assessment (EA) under the National Environmental Policy Act must be completed before the FSFL regulations can be approved
- FSFL EA will not be completed until sometime after the beginning of 2009
- FSFL regulations may not be published until EA is completed.

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C Contact

If there are any questions about this notice, State Offices may contact DeAnn Allen, PSD by 1 of the following:

- e-mail at deann.allen@wdc.usda.gov
- telephone at 202-720-9889
- FAX at 202-720-3307.

2 Action

A County Office Action

County Offices shall:

- continue to accept, submit to COC for approval, and disburse FSFL's under the current regulations according to 1-FSFL
- **not** implement the changes to the FSFL program authorized by the 2008 Act until the final regulations are published in FR
- **not** convey to customers a date when the FSFL changes will be implemented as that is currently unknown.

Note: Because the specifics of the proposed regulations announced at National Training in Dallas, Texas may change, County Offices shall not publicize or inform customers about details of the proposed regulation changes.

B State Office Action

State Offices shall ensure that all County Offices:

- continue to accept, submit to COC for approval, and disburse FSFL's under the current regulations according to 1-FSFL
- **not** implement any changes to the FSFL program authorized by the 2008 Act until the final regulations are published in FR.